

**United States Bankruptcy Court
District of New Jersey**

In re **John T. Marcellus, Jr.
Jessica L. Marcellus**

Debtor(s)

Case No. **17-28350**
Chapter **13**

**AMENDED
DECLARATION CONCERNING DEBTOR'S SCHEDULES**

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing document(s), consisting of 4 page(s), and that they are true and correct to the best of my knowledge, information, and belief.

Date December 19, 2017

Signature /s/ John T. Marcellus, Jr.
John T. Marcellus, Jr.
Debtor

Date December 19, 2017

Signature /s/ Jessica L. Marcellus
Jessica L. Marcellus
Joint Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

Fill in this information to identify your case:

| | | | |
|---|-------------------------------|-------------|-----------|
| Debtor 1 | John T. Marcellus, Jr. | | |
| | First Name | Middle Name | Last Name |
| Debtor 2 (Spouse if, filing) | Jessica L. Marcellus | | |
| | First Name | Middle Name | Last Name |
| United States Bankruptcy Court for the: | DISTRICT OF NEW JERSEY | | |
| Case number (if known) | 17-28350 | | |

☒ Check if this is an amended filing

Official Form 106G

Schedule G: Executory Contracts and Unexpired Leases

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

- Do you have any executory contracts or unexpired leases?
 - ☐ No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.
 - ☒ Yes. Fill in all of the information below even if the contacts of leases are listed on *Schedule A/B: Property* (Official Form 106 A/B).
- List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone). See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

| Person or company with whom you have the contract or lease <small>Name, Number, Street, City, State and ZIP Code</small> | State what the contract or lease is for |
|---|---|
| 2.1 American Honda Finance PO Box 168088 Irving, TX 75016 | Vehicle Lease Agreement commencing in March, 2016 in the amount of \$365.00 per month |
| 2.2 American Honda Finance PO Box 168088 Irving, TX 75016 | Vehicle Lease Agreement commencing in May, 2015 in the amount of \$613.00 per month. |

Fill in this information to identify your case:

Debtor 1 **John T. Marcellus, Jr.**
 First Name Middle Name Last Name

Debtor 2 **Jessica L. Marcellus**
 (Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **DISTRICT OF NEW JERSEY**

Case number **17-28350**
 (if known)

☒ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

2.1 Ocwen Loan Servicing

Creditor's Name
**1661 Washington Road
 Suite 100
 West Palm Beach, FL
 33414**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**21 Adams Street Logan Township,
 NJ 08085 Gloucester County**

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☒ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☐ Other (including a right to offset)

Column A

Amount of claim
 Do not deduct the
 value of collateral.

\$79,261.35

Column B

Value of collateral
 that supports this
 claim

\$152,982.00

Column C

Unsecured
 portion
 if any

\$0.00

Who owes the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☒ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Date debt was incurred

Last 4 digits of account number **2526****2.2 Roundpoint Mortgage**

Creditor's Name

**5032 Parkway Plaza Blvd
 Charlotte, NC 28217**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**56 Stonemill Way Swedesboro, NJ
 08085 Gloucester County**

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☒ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☐ Other (including a right to offset)

\$361,882.00

\$280,343.00

\$81,539.00

Who owes the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Debtor 1 **John T. Marcellus, Jr.**

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Case number (if know)

17-28350

First Name Middle Name Last Name

Debtor 2 **Jessica L. Marcellus**

First Name Middle Name Last Name

**Opened
04/15 Last
Active**Date debt was incurred **7/27/17**Last 4 digits of account number **7041****2.3 Wells Fargo Bank Nv Na**

Creditor's Name

Describe the property that secures the claim:

\$58,591.00**\$152,982.00****\$0.00****21 Adams Street Logan Township,
NJ 08085 Gloucester County****Po Box 31557
Billings, MT 59107**

Number, Street, City, State & Zip Code

As of the date you file, the claim is: Check all that apply.

☐ Contingent☐ Unliquidated☐ Disputed

Nature of lien. Check all that apply.

☒ An agreement you made (such as mortgage or secured car loan)☐ Statutory lien (such as tax lien, mechanic's lien)☐ Judgment lien from a lawsuit☐ Other (including a right to offset)

Who owes the debt? Check one.

☐ Debtor 1 only☒ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim relates to a community debt**Opened
07/08 Last
Active 08/16**

Date debt was incurred

Last 4 digits of account number **0001**

Add the dollar value of your entries in Column A on this page. Write that number here:

If this is the last page of your form, add the dollar value totals from all pages.

Write that number here:

\$499,734.35**\$499,734.35****Part 2: List Others to Be Notified for a Debt That You Already Listed**

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

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United States Bankruptcy Court
District of New Jersey

In re **John T. Marcellus, Jr.**
Jessica L. Marcellus

Debtor(s)

Case No. **17-28350**Chapter **13****DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S) - AMENDED**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

| | | |
|---|----|-----------------|
| For legal services, I have agreed to accept | \$ | <u>3,500.00</u> |
| Prior to the filing of this statement I have received | \$ | <u>1,545.00</u> |
| Balance Due | \$ | <u>1,955.00</u> |

2. \$ 0.00 of the filing fee has been paid.

3. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify):

4. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify):

5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. [Other provisions as needed]

Legal services related to the instant Bankruptcy will be billed at an hourly rate of \$335.00 for attorney time and \$125.00 for paralegal time as set forth in the attorney client fee agreement.

The retainer paid by the Debtor(s) prior to filing the instant matter, minus filing fees and costs, shall be credited to the total legal fees expended on the subject Chapter 13 case prior to Confirmation. Any fee balance shall be recouped by way of an Application for Compensation with the Honorable Bankruptcy Court.

7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Chapter 13 Bankruptcy Services required after Confirmation of the Chapter 13 Plan.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Date

/s/ Brad J. Sadek, Esquire**Brad J. Sadek, Esquire**

Signature of Attorney

Sadek and Cooper**1315 Walnut Street****Suite 502****Philadelphia, PA 19107**Name of law firm